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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/670,144      Confirmation No.: 1370  
Applicant(s): Alanen et al.  
Filed: 09/23/2003  
Art Unit: 3736  
Examiner: Nguyen, Huong Q.  
Title: Method for Measuring of Edema  
  
Attorney Docket No.: 881B.0006.U1(US)  
Customer No.: 29,683

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Petition to the Director under 37 CFR §1.181(a)

Sir:

This is in response to the Notice of Abandonment mailed 03/29/2010 in regard to the above-identified patent application. Applicants hereby request reconsideration of the holding of abandonment because there has been no abandonment in fact.

Statement of Facts

An Office Action was mailed in this case on September 17, 2009, wherein applicants were given a three month shortened statutory period from the date of the Office Action as a period for reply wherein extensions of time were available under 37 CFR §1.136(a).

On March 17, 2010 (within the three months extension of time period) a Petition for an Extension of Time under 37 CFR §1.136(a) along with an Amendment (in response to the Office Action mailed on 09/17/2009) was mailed to the USPTO with certificates of mailing.

On March 25, 2010 a return post card indicating receipt by the USPTO on March 22, 2010 was received.

#### Exhibits

The following exhibits are included herewith:

1. A copy of the return post card.
2. A copy of the Petition for an Extension of Time under 37 CFR §1.136(a) (including the certificate of mailing).
3. A copy of the filed Amendment (including the certificate of mailing).
4. A copy of the Mail Log establishing that correspondence was mailed for the above-identified application (see the 12<sup>th</sup> entry).
5. A copy of the Petition for an Extension of Time under 37 CFR §1.136(a) including the "OPAP" stamp indicating receipt by the USPTO on March 22, 2010 (available in the PAIR database).

6. A copy of the first page of the Amendment including the "OPAP" stamp indicating receipt by the USPTO on March 22, 2010 (available in the PAIR database).

**Point to be Reviewed**

Was the application abandoned?

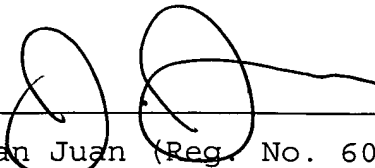
**Action Requested**

Applicants respectfully submit that the application was not in fact abandoned, based on the evidence presented above that a reply was timely filed with a petition for a three month extension of time (including an authorization to charge the designated deposit account). Applicants request withdrawal of the holding of abandonment.

If there are any additional charges with respect to this Petition or otherwise, please charge deposit account 50-1924 for any fee deficiency. Should any unresolved issue remain, applicants' attorney may be reached at the telephone number indicated below.

Appl. No.: 10/670,144  
Reply to Notice of: 03/29/2010

Respectfully submitted,

  
\_\_\_\_\_  
Juan Juan (Reg. No. 60,564)

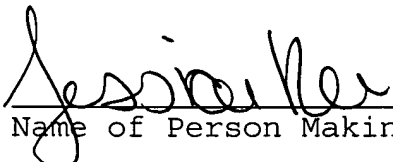
4/21/2010  
\_\_\_\_\_  
Date

**Customer No.: 29683**  
Harrington & Smith,  
Attorneys At Law, LLC  
4 Research Drive  
Shelton, CT 06484-6212  
203-925-9400

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail on the date shown below in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

4.21.2010  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Name of Person Making Deposit

384 B. 0006.41(LIS) JJ Em 3-27-2010  
ATTORNEY DOCKET NO. ATTY. SECY. DATE MAILED

SERIAL NO. 12/670, 1712

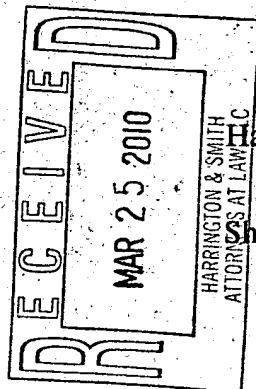
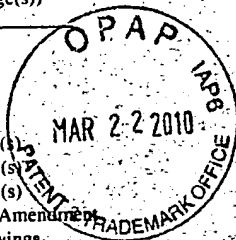
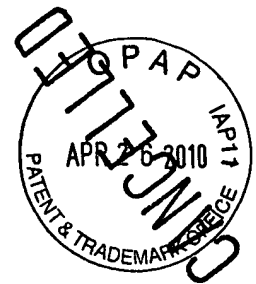
CHECK OR CHARGE  
DEPOSIT ACCOUNT 555.00

- ☒ Amendment (22 page(s))
- ☐ Preliminary Amendment ( page(s))
- ☐ Amendment Transmittal
- ☐ RCE
- ☐ Drawings
- ☐ Formal ( sheet(s))
- ☐ Informal ( sheet(s))
- ☐ Red-line ( sheet(s))
- ☐ Sub. of Proposed Drawing Amendment
- ☐ Transmittal of Formal Drawings
- ☐ Certificate of Correction
- ☐ Request for Certificate of Correction
- ☐ Request for Corrected Filing Receipt
- ☐ Certified Copy
- ☐ Change of Attorney's Address in Application

- ☒ Certificate of Mailing
- ☐ IDS, PTO-1449, references
- ☐ International Search Report
- ☐ Issue Fee Transmittal
- ☐ Appeal Brief ( page(s))
- ☐ Assignment
- ☐ Assignment Cover Sheet
- ☐ Declaration & Power of Attorney
- ☐ Notice of Appeal
- ☐ Petition & Fee for Extension of Time
- ☐ Let, Calling Attention To Error in Patent
- ☐ Completion of Filing Requirements, including Copy of Notice to File Missing Parts

☐ OTHER: \_\_\_\_\_

Receipt is hereby acknowledged of the papers/fees as identified:  
Commissioner of Patents & Trademarks



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